

SETTLEMENT

Goals

Private Land Use. Make available to present and future Alaskans suitable public land necessary for private settlement purposes. DNR can identify and offer lands that have characteristics which make them suitable for year-round residence, seasonal residence, or self-sufficient remote residence, but once the land is sold the owner will decide how to use the land. DNR can not guarantee that, for instance, land sold to satisfy the demand for seasonal residences will not be used for permanent residences. DNR's settlement program is designed to accommodate five categories. Within the planning area DNR will attempt to meet at least some of the demand for each of the five categories of settlement. However, given the nature of demand for settlement lands in the region and that there is little state land near existing communities, the department's emphasis will be on meeting demand for recreational use and seasonal residences. The five categories area:

A. Recreational Use or Seasonal Residences. This category is the most common use of land disposed of by the state. DNR will, where feasible, avoid poor quality sites, such as north-facing slopes, and offer quality sites with characteristics such as proximity to water, views, good hunting, or interesting topography. Because there is a limited supply of highly desirable state land, the state will offer some lands that do not have exceptional amenity values to meet the demand for recreational and seasonal use.

The state will also offer opportunities for short term-private use of state-owned lands through the state's remote cabin program (see the Remote Cabin section of this chapter).

B. Year-round Residences or Community Expansion. There is little state land near existing communities. Where it can, DNR will offer accessible land suitable to meet the needs of growing communities. This category serves people whose principal place of residence--and usually work--is or will be in the area of the disposal.

C. Year-round, Relatively Self-sufficient Remote Residences. DNR will provide opportunities for those who wish to pursue a remote, more or less self-sufficient lifestyle. Generally, the state will not offer tracts large enough for families to sub-

sist on, but will offer smaller parcels adjacent to public land on which the public can gather firewood and houselogs, and hunt and fish. Under current programs, homesteads are limited to 40 acres or less when located adjacent to public land on which the public can gather firewood and houselogs, and hunt, fish, and trap.

This category, although important, will not be a high priority in the disposal program because it is expensive (due to survey costs) and requires a commitment of large amounts of public land to satisfy relatively few people. It is less in demand than the preceding two categories.

D. Settlement Associated with Natural Resource Development Projects. The state will set a high priority on making land available for the development of new communities or the expansion of existing communities adjacent to major resource development projects. In some cases, the state must decide if leasing lands for a campsite or temporary settlement is preferable to selling land for a townsite.

E. Industrial or Commercial Development. To stimulate or facilitate economic development, DNR will sell, lease, or protect suitable land for private, commercial, and industrial future use. Requirements for these uses are highly site-specific, and disposal decisions will be made case-by-case as demands arise.

Resource and Economic Impacts. Contribute positively to other uses of natural resources and minimize the undesired impacts of land offerings on opportunities for resource use.

Land Acquisition. At this time it is the state's goal to provide individuals a range of options for acquiring title to state land. Under the current homestead and homesite programs state land may be acquired by various combinations of residing on the property, constructing a dwelling on the property, and purchasing the property. Public lands offered for private ownership under the general land disposal program will be sold for current fair market value, subject but not limited to the exceptions noted in AS 38.05.055 and 38.05.057.

Community Land Needs. To stimulate or facilitate community development, DNR should sell, lease, or protect for future use suitable land for community use. Requirements for these uses are highly-specific

and disposal decisions will be made case-by-case as demands arise. The state will set a high priority on making land available for the expansion of existing communities.

Fiscal Impacts. Minimize future fiscal costs to local or state government for services, wildfire management, and infrastructure requirements that result from settlement of state lands.

Community and Social Impacts. Minimize undesired changes in the character of life among nearby communities or residents caused by land disposal projects while considering the needs and demands of all state residents.

Coordination with Local Governments and Landowners. Coordinate state land offering programs with similar programs of local governments and major landowners to best achieve common objectives. Consider availability of land in private ownership when determining the amount, type, and location of state land offerings.

Management Guidelines

A. Planning and Coordination

- 1. Long-term Program.** Under this plan 271,770 acres may be offered for settlement. Another 41,200 acres with settlement potential will be kept in public ownership for the short-term and classified resource management. The disposal program will be designed to make land available for at least 20 years to ensure that Alaskans have the opportunity to acquire public land. The pacing of land disposals will be controlled through the statewide disposal plan and through the guidelines in Chapter 3.
- 2. Competition.** Although the state will coordinate its offerings with those of other landowners, it may compete with the private sector or local governments if necessary to satisfy demand, provide market choice, or moderate prices.
- 3. Local Plans.** DNR will comply with provisions of local comprehensive plans regarding the pace, location, and density of land development to the extent that local requirements are not inconsistent with a major overriding state interest.
- 4. Design Review Boards.** In addition to holding public meetings, a local design review board will be established when, in the opinion of the Direc-

tor of the Division of Land, it would be a constructive way to involve persons affected by a disposal project. A design review board will consist of a maximum of five citizens and local government officials appointed by an appropriate local government official. Where local government does not exist or is unwilling to appoint such a board, DNR will make the appointments if sufficient interest exists.

The design review board is advisory and will participate in and review all stages of design, including location, design of parcel size, transportation routes, and open space. The board will make recommendations to the Director of the Division of Land at appropriate times during the design process.

- 5. Coordination with Local Governments.** Where DNR and a municipality both have land, state land offering programs should be coordinated with similar programs of local government to best achieve common objectives. DNR would develop a joint disposal plan for state and municipal lands with any municipality that is interested. This plan would consider the municipality's fiscal planning for road extension priorities and its plans for levels of services in different areas. If a municipality has a comprehensive land use plan, that plan will provide direction for disposal priorities. The disposal plan should demonstrate what community objectives would be met and how the requested capital improvement funds would support municipality-wide priorities for roads and service extensions to benefit current and future residents. The disposal plan should demonstrate how increased access and development will promote use of other resources such as agriculture, mining, forestry and recreation, and thus provide statewide and regional benefits.
- B. Types of Offerings.** The types of offerings are established by the legislature and are subject to change. The following guidelines relate to several types of offerings available to the department at this time:
- 1. Predesignated Parcels.** In areas where severe land use conflicts and inefficient use of resources are expected to result from staking by the entrant, DNR may offer homestead parcels with predesignated boundaries.

2. Staking Outside Designated Project Areas.

Entrants are responsible for establishing the location of their parcels accurately. Title will not be granted to parcels located outside the boundaries of project areas. Entrants who incorrectly locate parcels outside designated areas may be given a second opportunity to stake within the proper area.

3. Isolated Parcels of State Land. The state has acquired--and will continue to acquire--isolated parcels of land through foreclosure, escheat, and other methods. The following guidelines apply to management and possible disposal of these parcels.

a. In or Near Existing Communities. If the parcel is in or immediately adjacent to an existing community or past state land offering, the parcel can be offered for settlement unless it is appropriate as a site(s) for schools, gravel pits, roads, parks, sewer treatment plants, or other public facilities.

b. Parcels Near Other State Land. If the parcel adjoins or is surrounded by other state land, it should be managed according to the management intent and guidelines applicable to the adjacent lands.

c. Parcels Not Near Other State Land. Isolated parcels, such as property acquired through foreclosure or escheat, which is surrounded by federal land, should be considered for sale or exchange to the adjacent federal land owner.

4. Leases for Private Recreation Cabins.

Leases for private (non-commercial) recreational cabins are prohibited.

C. Protection, Management, and Enhancement of Other Resources.**1. Protection of Life and Property.** The state will, to the extent feasible and prudent, discourage development in areas of flooding, unstable ground, significant avalanche risk, and other hazards. The department will achieve this objective by retaining public land, requiring building setbacks, and through public education.

DNR will discourage development of non-water-dependent structures in the 100-year floodway by requiring necessary residential building setbacks and by providing available

information about flood zones in land disposal brochures when a disposal is in a potential flood hazard area.

In drainages where the 100-year floodway has not been surveyed, the best available information will be used to determine the flood hazard zone that should remain in public ownership.

2. Protection and Management of Valuable Environmental Processes. In areas to be conveyed to private ownership, the state will provide a publicly owned open-space system to preserve important fish and wildlife habitats and natural areas such as shorelands, freshwater wetlands, riparian lands, watersheds, and surface and ground water recharge areas. (See policies on these subjects for details, especially Fish and Wildlife Habitat and Harvest Guideline I, *Conflicts with Traditional Uses of Fish and Game*, page 2-9).

Wetlands with important hydrologic, habitat, or recreational values, and adjacent buffer strips, will be retained for open space. Systems of publicly owned open space will be designed to provide the necessary linkage and continuity to protect or increase values for human uses and wildlife movements. In some places, large areas may be retained to provide adequate terrestrial habitat.

3. Protection and Enhancement of Scenic Features. Generally, the state will retain in public ownership unique natural features such as cliffs, bluffs and waterfalls, and foreground open space for panoramic vistas. Public access to such amenities will also be preserved. Islands in rivers or lakes will be retained in public ownership for enjoyment and use by the public.**4. Protection and Enhancement of Recreational, Educational, and Cultural Opportunities.** Protect the need for and retain appropriate areas for outdoor recreation, trails, campsites, boat launches, historic sites, and areas for scientific study. Areas for intensive and dispersed use will be preserved. (See also Cultural Resources guidelines page 2-6, regarding cultural resource surveys for land offerings).**5. Protection of Material Sources.** Generally if a designated settlement area contains sand and gravel deposits, rock sources, and other similar

high value material resources, a pit area will be identified and retained in public ownership for future use.

- 6. **Cumulative Effects.** Chances for inadvertent and undesired cumulative effects of land offerings and disposals will be minimized by examining the impacts of various region-wide comprehensive land use alternatives. DNR's area planning program does this and will establish and revise regional land offering and disposal policies for state lands.

D. Design

- 1. **Provision of Public Land for Communities.** Protect the need for and retain appropriate greenbelts, public-use corridors, personal-use woodlots, buffer areas, commons, building setbacks, sites for schools, gravel pits, roads, parks, and other public facilities, such as sewer treatment plants and health clinics, and other open spaces to help create a desirable land use pattern in developing areas.
- 2. **Cost of Public Services.** In accordance with AS 38.04.010, DNR will attempt to direct year-round settlement toward areas where services exist or can be provided with reasonable efficiency. State land that is located beyond the range of existing schools and other necessary public services or that is located where development of sources or employment is improbable will be sited and designed to encourage seasonal use with sufficient separation between residences so that public services will not be necessary or expected. Wildfire management costs that result from settlement will be considered and minimized to the extent feasible.
- 3. **Provision of Access.** The state will ensure that legal, practical public access (landing areas, rivers, trails, or other options most appropriate to the particular situation) is identified and reserved within land offerings.
- 4. **Personal Use of Nearby Resources.** One of the considerations in deciding the location, size, and design of land disposal projects will be the nearby supply of resources, such as firewood and houselogs, and the expected demand from people who will own the parcels. Where it is anticipated that land recipients will want to use timber resources, nearby woodlots may be retained instead of selling individual

parcels large enough to meet the personal use demands of the owner. This would provide some nearby public land on which firewood and houselogs can be gathered while keeping open options for other uses of those lands when access develops or new demands are identified.

- 5. **Subdivision Design.** If subdivisions are offered, they will be designed to preserve and enhance the quality of the natural setting and the recreational opportunities that make an area attractive to potential buyers.

The following slope and lot size standards should generally be applied in state subdivisions, assuming that the parcels have been reviewed and approved as required by Department of Environmental Conservation regulations:

Percent Average Slope	Minimum Lot Size
0-12	1 acre
13-20	4 acres
21-30	10 acres
greater than 30	no development

Other procedures and standards for subdivision design are described in "Design of Residential and Recreational Subdivisions", in the Division of Land's Policy and Procedures Manual.

- 6. **Boundaries of Settlement Designations.** Boundaries of land use designations shown on the maps in Chapter 3 may be modified through on-the-ground implementation activities -- for example, site planning for disposals -- if the modifications adhere to the management intent for the subunits affected.
- 7. **Easements.** Easements will be used as one means to retain public use rights needed on privately owned lands.

Easements generally will not be used to retain a public interest in lands within a subdivision. Instead, DNR will generally retain such lands in public ownership. Exceptions to this policy may be made where the interest protected is very limited, such as for local pedestrian access that is not part of an integrated neighbor-

hood or community trail system. This policy will minimize confusion between public use and private ownership rights.

8. Design of Settlement Areas near Mineralized Areas. When siting a settlement area near or adjacent to a mineralized area is unavoidable, DNR will take measures to reduce conflicts between existing or future mineral development and settlement. These measures may include retaining buffers that will remain closed to mineral entry in the design of the settlement area.

E. Other Guidelines Affecting Settlement. Other guidelines may affect settlement. See in particular the following sections of this chapter:

- Agriculture and Grazing
- Cultural Resources
- Fish and Wildlife Habitat and Harvest
- Forestry
- Lakeshore Management
- Materials
- Public Access
- Recreation and Tourism
- Stream Corridors and Instream Flow
- Subsurface Resources
- Trail Management
- Transportation
- Wetland Management